

Carol V. Gilden (*admitted pro hac vice*)
**COHEN MILSTEIN SELLERS & TOLL
 PLLC**

190 South LaSalle Street, Suite 1705
 Chicago, IL 60603
 Telephone: (312) 357-0370
 Email: cgilden@cohenmilstein.com

Lead Counsel for Plaintiffs and the Class
 [Additional Counsel on Signature Page]

Nicole Lavallee (SBN 165755)
 Alexander S. Vahdat (SBN 284963)
BERMAN TABACCO
 425 California Street, Suite 2300
 San Francisco, CA 94104
 Telephone: (415) 433-3200
 Facsimile: (415) 433-6382
 Email: nlavallee@bermantabacco.com
 avahdat@bermantabacco.com

Liaison Counsel for Plaintiffs and the Class

William Savitt (*pro hac vice*)
 Noah B. Yavitz (*pro hac vice*)
 Emily R. Barreca (*pro hac vice*)
WACHTELL, LIPTON, ROSEN & KATZ
 51 West 52nd Street
 New York, NY 10019
 Telephone: (212) 403-1000
 Facsimile: (212) 403-2000
 Email: WDSavitt@wlrk.com
 NBYavitz@wlrk.com
 ERBarreca@wlrk.com

Jordan Eth (CA SBN 121617)
 David J. Wiener (CA SBN 291659)
MORRISON & FOERSTER LLP
 425 Market Street
 San Francisco, CA 94105
 Telephone: (415) 268-7000
 Facsimile: (415) 268-7522
 Email: JEth@mofo.com
 DWiener@mofo.com

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

SHEET METAL WORKERS' NATIONAL
 PENSION FUND and INTERNATIONAL
 BROTHERHOOD OF TEAMSTERS
 LOCAL NO. 710 PENSION FUND,
 individually and as Lead Plaintiffs on behalf
 of all others similarly situated, and

INTERNATIONAL UNION OF
 OPERATING ENGINEERS PENSION
 FUND OF EASTERN PENNSYLVANIA
 AND DELAWARE, individually and as
 Named Plaintiff, on behalf of all others
 similarly situated,

Plaintiffs,

vs.

BAYER AKTIENGESELLSCHAFT,
 WERNER BAUMANN, WERNER
 WENNING, LIAM CONDON, JOHANNES
 DIETSCH, and WOLFGANG NICKL,

Defendants.

Case No: 3:20-cv-04737-RS
CLASS ACTION

**JOINT STIPULATION
 AND SCHEDULING
 ORDER AS MODIFIED BY
 THE COURT**

Ctrm: 3 – 17th Floor
 Judge: Richard Seeborg

Pursuant to Local Rule 6-2, the parties respectfully request the following:

WHEREAS, on June 28, 2024, the Court issued a Joint Stipulation and Scheduling Order (ECF 218) (the “Scheduling Order”), and amended select dates by Clerk’s Notice Rescheduling Jury Trial and Pretrial Conference (ECF 219) (the “Clerk’s Notice”) dated July 2nd, 2024,

WHEREAS, the current scheduled due date for the designation of supplemental and rebuttal expert witnesses under Federal Rule of Civil Procedure 26(a)(2) is September 20, 2024,

WHEREAS, one of Plaintiffs’¹ expert witnesses is experiencing an emergency medical issue and accordingly will require additional time to complete his rebuttal expert report,

WHEREAS, the parties have conferred regarding extending the date for the designation of supplemental and rebuttal expert witnesses by four weeks, along with the case management deadlines that follow, with minor adjustments that also take into account intervening holidays,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiffs and Defendants by and through their respective counsel and subject to the approval of the Court, that the Scheduling Order shall be modified as follows:

1. The Parties shall designate their supplemental and rebuttal expert witnesses in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before October 18, 2024.
2. The Parties shall designate their reply expert witnesses on or before November 8, 2024.
3. All discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed on or before December 6, 2024.
4. The Further Case Management Conference previously set for November 14, 2024, is continued to December 19, 2024, at 10:00 a.m. via videoconference, and the parties’ Joint Case Management Statement shall be due by December 12, 2024, or such other date as the Court deems appropriate.

¹ Plaintiffs are Lead Plaintiffs Sheet Metal Workers’ National Pension Fund and International Brotherhood of Teamsters Local No. 710 Pension Fund, and additional plaintiff International Union of Operating Engineers Pension Fund of Eastern Pennsylvania and Delaware.

5. The Parties shall file any dispositive motions on or before January 24, 2025.
6. The Parties shall file any oppositions to dispositive motions on or before February 28, 2025.
7. The Parties shall file any replies to dispositive motions on or before March 21, 2025.
8. All pretrial motions shall be heard no later than April 28, 2025, or such other date as the Court deems appropriate.
9. The final pretrial conference shall be held on July 9, 2025, at 10:00 a.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California, or such other date as the Court deems appropriate.
10. A jury trial shall commence on July 21, 2025, at 9:00 a.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California, or such other date as the Court deems appropriate.

IT IS SO STIPULATED.

Dated: September 13, 2024

By: /s/ Carol V. Gilden
 Carol V. Gilden (*pro hac vice*)
 cgilden@cohenmilstein.com
COHEN MILSTEIN SELLERS & TOLL PLLC
 190 South LaSalle Street, Suite 1705
 Chicago, IL 60603
 Telephone: (312) 357-0370
 Facsimile: (312) 357-0369

Steven J. Toll (*pro hac vice*)
 stoll@cohenmilstein.com
COHEN MILSTEIN SELLERS & TOLL PLLC
 1100 New York Ave NW, Suite 500 East
 Washington, DC 20005
 Telephone: (202) 408-4600
 Facsimile: (202) 408-4699

Chris Lometti (*pro hac vice*)
 clometti@cohenmilstein.com
 Benjamin F. Jackson (*pro hac vice*)
 bjackson@cohenmilstein.com
COHEN MILSTEIN SELLERS & TOLL PLLC
 88 Pine Street, Fourteenth Floor
 New York, NY 10005
 Telephone: (212) 838-7797
 Facsimile: (212) 838-7745

Lead Counsel for Plaintiffs and the Class

Nicole Lavallee (SBN 165755)
nlavallee@bermantabacco.com
Alexander S. Vahdat (SBN 284963)
avahdat@bermantabacco.com

BERMAN TABACCO
425 California Street, Suite 2300
San Francisco, CA 94104
Telephone: (415) 433-3200
Facsimile: (415) 433-6382

Liaison Counsel for Plaintiffs and the Class

*Attorneys for Lead Plaintiffs Sheet Metal
Workers' National Pension Fund and
International Brotherhood of Teamsters Local
No. 710 Pension Fund, and Named Plaintiff
International Union of Operating Engineers
Pension Fund of Eastern Pennsylvania and
Delaware Local No. 542*

By: /s/ Noah B. Yavitz

William Savitt (*pro hac vice*)
Noah B. Yavitz (*pro hac vice*)
Emily R. Barreca (*pro hac vice*)
WACHTELL, LIPTON, ROSEN & KATZ
51 West 52nd Street
New York, NY 10019
Telephone: (212) 403-1000
Facsimile: (212) 403-2000

Jordan Eth (CA SBN 121617)
JEth@mofo.com
David J. Wiener (CA SBN 291659)
DWiener@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
Telephone: (415) 268-7126
Facsimile: (415) 268-7522

Attorneys for Defendants

CERTIFICATE PURSUANT TO LOCAL RULE 5-1(h)(3)

In compliance with Civil Local Rule 5-1(h)(3), I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.


By: /s/ Carol V. Gilden
Carol V. Gilden

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ORDER GRANTING STIPULATION

PURSUANT TO STIPULATION, IT IS SO ORDERED.

9/13/2024
Date


HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE